

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

EUGENE SCALIA, ¹ SECRETARY OF LABOR, UNITED STATES DEPARTMENT OF LABOR,)	
)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 2:17-cv-01242
)	
HEART II HEART, LLC, a company, and)	
TONI CHANDLER DUNCAN, individually, and as)	
owner, and as corporate officer of the aforementioned)	Hon. William S. Stickman, IV
company.)	
)	
Defendants.)	
)	

MOTION TO APPROVE AND ENTER CONSENT JUDGMENT

Plaintiff, Secretary of Labor, U.S. Department of Labor (the “Secretary”) hereby moves this Court to Approve and Enter the Consent Judgment of Heart II Heart, LLC and Toni Chandler Duncan as agreed to by the parties. In support thereof, the Secretary represents that the parties have reached an agreement for the purpose of settling the above-referenced matter. The terms of this agreement are set forth in the Consent Judgment attached hereto.

¹ Pursuant to Federal Rule of Civil Procedure 25(d), Secretary of Labor Eugene Scalia is substituted for R. Alexander Acosta as the plaintiff in this action.

WHEREFORE, for the reasons set forth above, the Secretary respectfully requests that the Court enter the Consent Judgment attached hereto.

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Respectfully submitted,

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/s/ Bertha M. Astorga
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U.S. Department of Labor
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on January 7, 2020, I electronically filed Plaintiff's Motion to Approve and Enter Consent Judgment with the United States District Court for the Western District of Pennsylvania using the ECF system. I hereby certify that Defendants' attorneys are registered as ECF filers and that the foregoing will be served by the ECF system to the attorneys of record.

s/ Bertha M. Astorga
Bertha M. Astorga
Attorney
Office of the Solicitor
U.S. Department of Labor